

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

LADARIUS BOLDS,

No. 3:20-cv-01213-SU

Plaintiff,

ORDER

v.

JOSIAS SALAZAR,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Sullivan issued a Findings and Recommendation [4] on September 25, 2020, in which she recommends that the Court dismiss Petitioner's case and decline to issue a certificate of appealability. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v.*

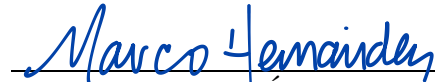
*Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

### CONCLUSION

The Court ADOPTS Magistrate Judge Sullivan's Findings and Recommendation [4]. Accordingly, Petitioner's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 is dismissed without prejudice. The Court declines to issue a Certificate of Appealability where the dismissal is based upon Petitioner's failure to satisfy the filing fee requirement.

IT IS SO ORDERED.

DATED: November 5, 2020.

  
MARCO A. HERNÁNDEZ  
United States District Judge